

# **Exhibit 3**

**Hill, Brian**

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**From:** Robert J. Tolchin <rjt.berkman@gmail.com>  
**Sent:** Thursday, February 23, 2012 4:09 PM  
**To:** Hill, Brian; Rochon, Mark; Hibey, Richard; hallermm@gmail.com  
**Cc:** asolomon@berkmanlaw.com  
**Subject:** Blutstein/Baker plaintiffs

Counselors –

The Blutstein/Baker plaintiffs have decided to waive their claims for past and future medical expense claims. Accordingly, we request that the defendants withdraw their subpoenas on Sharon Starobin and Vivian L. Blanc. Please confirm that you will do so.

- Bob Tolchin